

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

OCT 2 2024

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 24-0434-001 JB

JAREMY ALEXANDER SMITH,

Defendant.

**ORDER GRANTING DEFENDANT'S SECOND UNOPPOSED MOTION TO
CONTINUE TRIAL AND SCHEDULING ORDER**

THIS MATTER having come before the Court on Defendant's Second Unopposed Motion to Continue Trial (Doc. 50), and the Court being fully advised of the premises, including a lack of opposition by the government, finds the motion to be well taken and is hereby granted *in part.*

IT IS THEREFORE ORDERED:

1. The jury trial scheduled for September 6, 2024 is vacated.
2. The jury trial will commence on October 21, 2024 at 9:00 a.m.
3. ~~The following deadlines shall govern pretrial proceedings:~~
 - a. Any notice pursuant to Federal Rule of Criminal Procedure 12.2 shall be filed by January 31, 2025.
 - b. Expert disclosures under Federal Rule of Criminal Procedure 16(a)(1)(G) and (b)(1)(C) shall be filed by June 6, 2025.
 - c. The parties shall file their pretrial motions (including Daubert motions) on or before July 7, 2025; oppositions shall be filed on or before July 21, 2025; and replies shall be filed on or before August 1, 2025.
 - d. ~~The parties shall file their exhibit lists, witness lists, and proposed voir dire on~~

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UNITED STATES DISTRICT JUDGE

After weighing the best interests of the public and of the Defendant with the ends of justice, the Court finds that granting a continuance will strike a proper balance between the ends of justice and the best interests of the public and of the Defendant for the reasons stated in the motion requesting a continuance, filed September 16, 2024 (Doc. 50). Specifically, the Defendant's need to permit counsel to continue to obtain and review voluminous discovery disclosures; permit defense counsel to continue to investigate the subject allegations, including identifying, locating, and interviewing witnesses, obtaining necessary evidence and documents, and investigating the Defendant's and witnesses' backgrounds; following their investigation, to permit counsel to draft and file appropriate substantive motions; to enable Defendant to review discovery disclosures with counsel; to continue to engage in settlement discussions with the government; and if no negotiated resolution is reached, to provide additional time in which to prepare for trial, outweighs the Defendant's and the public's interest in a speedy trial. See 18 U.S.C. Section 3161(h)(7). The Court will set the trial for October 21, 2024 at 9:00 AM. The pretrial motion deadline is September 30, 2024. This 381-day continuance is sufficient, without being greater than necessary, for the Defendant to complete the tasks set forth in the motion to continue.

On the limited record before the Cat, the Cat is not persuaded that it should continue the trial until August 22, 2025.


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On the limited record before the Cat,

If the Deft needs or wants more time, he needs to justify, in detail, each additional day sought.


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